

ENTERED

April 29, 2019

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAMIE WILLIAMSON, *et al.*, §
Plaintiffs, §
§
v. § CIVIL ACTION NO. H-17-0430
§
SOUTHERN COMFORT KITCHEN §
LLC, §
Defendant. §

**CONDITIONAL ORDER OF DISMISSAL AND
ORDER FOR INFORMATION REGARDING SETTLEMENT**

The Court has been advised that the parties have resolved their dispute. *See* Notice of Settlement [Doc. # 77]. Because this is an FLSA case, it requires court approval for either settlement or voluntary dismissal with prejudice. To perform the approval analysis, the Court requires the following information:

Damages and Other Amounts Claimed by Plaintiffs: The amount of wages that Plaintiffs claim to be owed as back wages and the percentage each will recover under the Settlement.

Release by Plaintiffs: If a broad release is intended, the parties must address whether the breadth of any proposed release was explained to and approved by each Plaintiff after meaningful discussion prior to that Plaintiff agreeing to the release.

Attorneys' Fees: If fees and/or expenses will be recovered, Plaintiffs' counsel must (i) identify the amount of those fees and expenses, and explain whether that amount is separate from, or included in, the amount to be paid to Plaintiffs, and (ii) provide one or more declarations under penalty of perjury, 28 U.S.C. § 1748, reporting the number of hours worked, stating who rendered the services, and summarizing the nature of tasks performed in this matter. Plaintiffs' counsel may include other supporting information that would assist the Court in determining whether the amount counsel seeks is fair, reasonable, and necessary. Accordingly, it is hereby

ORDERED that the parties must provide on or before **May 13, 2019**, the information described in this Order, and a copy of the parties' proposed settlement agreement, and any other information that the parties believe the Court should consider in assessing the fairness and reasonableness of the Settlement. The parties may file this information under seal. The Court will determine thereafter whether approval on the written record, further information, or a live evidentiary hearing is necessary. It is further

ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** to reinstatement of Plaintiffs' claims, if any party represents to the Court on or before

May 20, 2019, that the Settlement could not be completely documented and approved. The Joint Pretrial Order and Docket Call deadlines are **VACATED**.

SIGNED at Houston, Texas, this 29th day of **April, 2019**.



NANCY F. ATLAS
SENIOR UNITED STATES DISTRICT JUDGE